

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	8:06CR116
	)	<b>FIFTH SUPERSEDING</b>
Plaintiff,	)	<b>INDICTMENT</b>
	)	18 U.S.C. § 2
v.	)	18 U.S.C. § 922(g)(1)
	)	18 U.S.C. § 924(c)(1)(A)
DALE GILES,	)	18 U.S.C. § 924(C)(i)
CHARMAR BROWN,	)	21 U.S.C. § 841(a)(1)
EVEREADA KOURIS, and	)	21 U.S.C. § 841(b)(1)(A)(vii)
LAVELLE GILES,	)	21 U.S.C. § 841(b)(1)(B)(vii)
	)	21 U.S.C. § 846
Defendants.	)	21 U.S.C. § 853

The Grand Jury charges:

**COUNT I**

From an unknown date but at least as early as October 1, 2004, up to and including June 20, 2006, in the District of Nebraska, DALE GILES, CHARMAR BROWN, EVEREADA KOURIS, and LAVELLE GILES, Defendants herein, did knowingly and intentionally, combine, conspire, confederate and agree together and with other persons, some known to the grand jury and others unknown to the grand jury, to distribute and possess with intent to distribute more than 1,000 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code Section 841(a)(1) & (b)(1)(A)(vii).

In violation of Title 21, United States Code, Section 846.

**COUNT II**

On or about October 3, 2005, in the District of Nebraska, DALE GILES, and CHARMAR

BROWN, Defendants herein, used, carried, possessed and discharged a firearm during and in relation to drug trafficking crime for which the Defendants may be prosecuted in a Court of the United States, to wit: the activity set forth in Count I of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and (C)(i) and Title 18, United States Code, Section 2.

### **COUNT III**

On or about October 3, 2005, in the District of Nebraska, DALE GILES, Defendant herein, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm which had been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

### **COUNT IV**

On or about May 3, 2005, through May 4, 2005, in the District of Nebraska, DALE GILES, and CHARMAR BROWN, Defendants herein, used, carried, possessed and discharged a firearm during and in relation to drug trafficking crime for which the Defendants may be prosecuted in a Court of the United States, to wit: the activity set forth in Count I of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and (C)(i) and Title 18, United States Code, Section 2.

### **COUNT V**

On or about May 3, 2005, through May 4, 2005, in the District of Nebraska, DALE GILES, Defendant herein, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm which had been

shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT VI**

On or about April 3, 2006, and April 4, 2006, in the District of Nebraska, DALE GILES, and CHARMAR BROWN, Defendants herein, did knowingly and intentionally, possess with intent to distribute more than 100 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code Section 841(a)(1) & (b)(1)(B)(vii).

**COUNT VII**

On or about April 3, 2006, up to and including April 4, 2006, in the District of Nebraska, DALE GILES, and CHARMAR BROWN, Defendants herein, used, carried and possessed a firearm, to wit: a Taurus .38 revolver, Model 8S, Serial Number XE89001, and a KR SPR Model J-15 223 Rifle, Serial Number 7405, during and in relation to drug trafficking crime for which the Defendants may be prosecuted in a Court of the United States, to wit: the activity set forth in Count VI of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and (C)(i) and Title 18, United States Code, Section 2.

**COUNT VIII**

On or about April 3, 2006, up to and including April 4, 2006, in the District of Nebraska, DALE GILES, Defendant herein, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm and ammunition which had been shipped and transported in interstate commerce, to wit: a KR SPR Model J-15 223 Rifle, Serial Number 7405.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT IX**

As a result of the offense set forth in Counts I through VIII, the Defendants, DALE GILES, CHARMAR BROWN, and EVEREADA KOURIS, shall forfeit to the United States any and all property constituting or derived from any proceeds said Defendants obtained directly or indirectly as a result of the violations alleged in Counts I through VIII, and any and all property used or intended to be used in any manner or part to commit and/or to facilitate the commission of the violations alleged in Counts I through VIII of this Indictment, including but not limited to the following:

A) UNITED STATES CURRENCY:

- 1) \$2,562.00 in United States currency recovered from Charmar Brown on February, 6, 2005;
- 2) \$47,430.00 in United States currency seized from Dales Giles and Charmar Brown on March 20, 2005;
- 3) \$2,588.00 in United States currency seized from Charmar Brown on April 11, 2005;
- 4) \$12,647.00 in United States currency seized from Dale Giles on May 22, 2005;
- 5) \$358,030.00 in United States currency recovered from Milt's Mini Storage unit 246 on April 3, 2006;
- 6) \$164,900.00 in United States currency recovered from Crown Point Mini Storage unit 135 on April 4, 2006;
- 7) \$81,000.00 in United States currency recovered from 7006 ½ Maple Street on April 4, 2006;
- 8) \$22,990.00 in United States currency recovered from 2629 North 130th Street on April 4, 2006;
- 9) \$2,421.00 in United States currency recovered from Dale Giles on April 4, 2006;
- 10) \$16,000.00 in United States currency recovered on April 14, 2006;
- 11) \$800.00 in United States currency recovered from a Buick Rendezvous on September 14, 2006;

B) VEHICLES:

- 12) A 2005 Dodge Magnum, VIN 2D4GZ58295H623338, registered to Lamont Giles recovered from 7006 ½ Maple on April 4, 2006;
- 13) A 2006 BMW 750 Li, VIN WBAHN83526DT35866 recovered from 7006 ½ Maple on April 4, 2006;
- 14) A 2006 BMW 750 Li, VIN WBAHN83586DT35953, recovered from 7006 ½ Maple on April 4, 2006;
- 15) A 2004 Chevrolet Silverado K1500, VIN 2GCEK19T641181036 registered to Chamar/Audrey Brown recovered from 7006 ½ Maple on April 4, 2006;
- 16) A 2003 Chevrolet K1500 Suburban, VIN 1GNFK16Z33J233442 registered to 40 Deuce Music Corp. recovered from 7006 ½ Maple on April 4, 2006;
- 17) A 2004 Chevrolet Corvette, VIN 1G1YY22G645112921 recovered from 7006 ½ Maple on April 4, 2006;
- 18) 2005 Dodge Durango, VIN 1D4HB48N55F551276 registered to Evereada Kouris recovered from 72nd and Cornhusker on April 4, 2006;
- 19) A 1973 Chevrolet Caprice, VIN 1L57H3S119839 registered to Dale Lamont Giles recovered from Milt's Mini Storage unit 245 on April 3, 2006;
- 20) A 1985 Cadillac El Dorado, VIN 1G6EL5782FE648329 recovered from Milt's Mini Storage unit 246 on April 3, 2006;
- 21) 2002 Chevrolet K1500 Suburban, VIN 3GNFK16Z02G254524 registered to Charmar Brown recovered from 2629 N. 130th on April 4, 2006;
- 22) A 2005 Cadillac Escalade, VIN 3GYFK66N45G157635 registered to Dale Giles recovered in driveway at 6053 Ellison on April 4, 2006;
- 23) 1973 Chevrolet Caprice Convertible, VIN 1N67R3S236208 recovered from 7603 Crown Point Ave. #292 on April 4, 2006;
- 24) A 1984 Dodge Ram 150 Van, VIN 2B7FB13H9EK247549 recovered from 7603 Crown Point Ave. #350 on April 4, 2006;
- 25) 1966 Chevrolet Impala, VIN 1643768S241082 recovered from PS Auto Body, 2832 N. 70th Ave., on April 6, 2006;



26) 1972 Chevrolet Monte Carlo, VIN 1H57J2K509758 recovered from PS Auto Body, 2832 N. 70th Ave., on April 6, 2006;

27) 2003 Chevrolet Monte Carlo, VIN 2G1WW12E539234113 registered to Latasha Willis recovered from Milt's Mini Storage unit 427 on April 8, 2006;

28) 2000 Ford F-150, VIN 1FTRX18W0YKA54559 registered to K-Nown LLC recovered from Dale Giles and Lavelle Giles on 60th and Ames on April 4, 2006;

29) A 2003 Chevrolet Silverado K1500, VIN 2GCEK19N631403882 registered to Dale Lamont Giles;

30) 2000 Buick LaSabre VIN 1G4HR54KXYU141529 registered to Dale Giles;

31) 2003 Buick Rendezvous VIN 3G5DA03EX3S589228 registered to Evereada McDaniel, seized on June 26, 2006;

C) FINANCIAL ACCOUNTS:

32) Edward Jones Account # 62309705 in name of Charmar A. Brown with a balance as of April 28, 2006, of \$1,264.14;

33) Edward Jones Account # 62309881 in name of Charmar A. Brown with a balance as of April 28, 2006, of \$1,576.93;

34) Edward Jones Account # 62309882 in name of Charmar A. Brown with a balance as of April 28, 2006, of \$1,576.93;

35) US Bank Account # 2-630-9900-6839 in name of Dale Giles with a balance as of April 18, 2006, of \$662.20;

36) US Bank Account # 1-508-9093-4758 in name of K-Nown (LLC) with a balance as of April 18, 2006, of \$298.16;

37) All interest Dale Giles has in any real estate commissions paid to or through Dan Swartz Realty and an escrow account with Talon Group, 3923 S. McClintock St., Ste. 410, Tempe, AZ 85282 for real property located at 11733 W. Hadley St., Avondale, AZ 85323, in the amount of \$28,543.00;

38) All interest Dale Giles has in a cashiers check issued from U.S. Bank representing the proceeds of closed account # 1-508-9093-4691 in the amount of \$2,888.11;

39) All interest Charmar Brown has in a cashiers check issued from U.S. Bank representing the proceeds of closed account # 1-508-7050-0074 in the amount of \$542.36;

D) REAL PROPERTY:

40) all right, title and interest Dale Giles may hold to the real property described as Lot 12, West Keystone Park, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 3811 N. 88 Ave., Omaha, Nebraska;

41) all right, title and interest Dale Giles and Charmar Brown may hold to the real property described as the East 35 feet of the South 110 Feet of Tax Lot 17, in Section 3, Township 15 North, Range 13 East of the 6th P.M., an Addition to the city of Omaha, as surveyed, platted, and recorded in Douglas County, Nebraska, commonly known as 2118 Ames Avenue, Omaha, Nebraska;

42) all right, title and interest Dale Giles and Charmar Brown may hold to the real property described as Lots 1, 2, 3, 4, 5 and 6, Block 14, in Weir Crest, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, except a triangular parcel of land located in the Northeast corner of Lot 1, Block 14, in Weir Crest, deeded to the City of Omaha in Warranty Deed filed March 10, 1977 in Book 1564 at Page 405 of the Deed Records of Douglas County, Nebraska, described as follows: Beginning at the Northeast corner of Lot 1; thence South 5 feet along the East property line of Lot 1; thence Northwesterly 7.07 feet to a point on the North line of Lot 1, said point being 5 feet West of the Northeast corner of Lot 1; thence East 5 feet along the North property line of Lot 1, to the point of beginning, commonly known as 4816 S. 60th St., Omaha, Nebraska, and Lots 42 and 43 in Block 14, in Weir Crest, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska; and Lots 44, 45, 46, 47 and 48, in Block 14, in Weir Crest, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, except a triangular parcel of land located in the Southeast corner of Lot 48, Block 14, in Weir Crest, deeded to the City of Omaha in Warranty Deed filed March 10, 1977 in Book 1564 at Page 402, described as follows: Beginning at the Southeast corner of Lot 48; thence North 5 feet along the East property line of Lot 48; thence Southwesterly 7.07 feet to a point on the South property line of Lot 48; thence East 5 feet along the South property line of Lot 48, to the point of beginning, commonly known as 4824 S. 60th St., Omaha, Nebraska;

E) MISCELLANEOUS:

43) recording equipment including but not limited to speakers, monitors, keyboards, computers, recorders, and microphones seized from 4816 S. 60th St., on April 4, 2006;

44) a Magnavox 50 inch television recovered from 1214 Applewood Drive, G208, on April 4, 2006;

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45) a JVC 56 inch wide screen projection television recovered from 7603 Crown Point Ave., #135 on April 4, 2006;

46) Any and all jewelry including but not limited to three watches recovered from 1214 Applewood Drive, G208, on April 4, 2006;

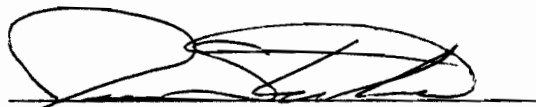
47) Any and all jewelry including but not limited to diamond earrings and ring taken from Evereada Kouris on or about June 26, 2006; and

48) Any and all jewelry including but not limited to gold chains, rings, watch, bracelet and a diamond pendant recovered from 3547 North 40th Avenue on June 26, 2006.

In violation of Title 21, United States Code, Section 853.

A TRUE BILL:

[REDACTED]  
FOREPERSON

  
JOE W. STECHER  
United States Attorney

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The United States of America requests that trial of this case be held in Omaha, Nebraska pursuant to the rules of this Court.

  
MARIA R. MORAN  
Assistant U.S. Attorney